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**MEMO ENDORSED**

October 9, 2020

**VIA ECF & EMAIL**

Hon. Katherine Polk Failla  
U.S. District Judge  
U.S. District Court for the Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007  
Failla\_NYSDChambers@nysd.uscourts.gov

**Re: *Paguada v. Fiskars Brands, Inc.*,  
Civil Action No.: 1:20-cv-05712-KPF (S.D.N.Y.)**

Dear Judge Failla:

This firm represents Defendant Fiskars Brands, Inc. ("Defendant") in the above-referenced matter. We write, with the consent of Plaintiff Josue Paguada ("Plaintiff"), to respectfully request both a 30-day extension of time for Defendant to respond to the Complaint, up to and including November 18, 2020, and a 30-day adjournment of the Initial Pretrial Conference scheduled for October 21, 2020 to any date on November 20, 2020 or after.

Defendant's original responsive pleading deadline was September 29, 2020. (ECF No. 5) On September 25, 2020, Defendant requested an extension of this deadline to October 20, 2020, which the Court granted up to and including October 19, 2020. (ECF Nos. 9-10.) Additionally, on August 18, 2020, the Court Ordered an Initial Pretrial Conference ("IPTC") for October 21, 2020, with a joint letter and proposed Case Management Plan due on October 15, 2020. (ECF No. 6.)

This letter is the second request for an extension of Defendant's responsive pleading deadline and the first request for an adjournment of the IPTC. The parties are discussing a potential non-litigated resolution of this matter. Further, they have informally exchanged information in furtherance of these discussions. Defendant respectfully requests this extension of time to allow the parties to continue focusing their time and resources on good faith settlement discussions, with the objective of avoiding unnecessary discovery and litigation activities. Defendant does not anticipate requesting another extension of the responsive pleading deadline, or adjournment of the IPTC absent extraordinary circumstances.



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We have communicated with counsel for Plaintiff, and Plaintiff consents to this request. We respectfully submit this request in good faith and not to cause undue delay. The granting of this application will not impact any other scheduled deadlines. We thank the Court for its time and attention to this matter.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

John W. Egan

cc: All counsel of record (via ECF)

Application GRANTED. Defendant shall respond to the Complaint on or before **November 18, 2020**. The initial pretrial conference currently scheduled for October 21, 2020, is hereby ADJOURNED to **November 23, 2020, at 12:00 p.m.** The parties are ORDERED to file their proposed Case Management Plan and joint letter the Thursday prior to the IPTC, which would be **November 19, 2020**.

Dated: October 13, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads 'Katherine Polk Failla'.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE